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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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09/998,402

11/15/2001

Kenneth Ray Banning

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01/24/2005

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EXAMINER

HENNING, MATTHEW T

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/998,402             | BANNING ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Matthew T Henning      | 2131                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____                                                            | 6) <input type="checkbox"/> Other: _____                                    |

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This action is in response to the communication filed on 11/15/2001.

### **DETAILED ACTION**

1. Claims 1-21 have been examined.

#### ***Title***

2. The title of the invention is acceptable.

#### ***Priority***

3. No claim for priority has been made for this application.
4. The effective filing date for the subject matter defined in the pending claims in this application is 11/15/2001.

#### ***Drawings***

5. The drawings filed on 11/15/2001 are acceptable for examination proceedings.

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless –*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

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7. Claims 1-6, 8-13, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizoguchi et al. (US Patent Application Publication Number 2004/0030934) hereinafter referred to as Mizoguchi.

8. Regarding claim 1, Mizoguchi disclosed a method, system, and computer readable media for authorizing access to restricted information on a data processing network (See Mizoguchi Abstract and Claims), comprising: responsive to receiving a request for a document, determining whether access to the document is restricted (See Mizoguchi Paragraph 0026 wherein it was inherent that a determination that the accessed site was password protected in order for the client machine to have initiated the password routine); responsive to determining that access to the requested document is restricted, providing at least one password document comprising a plurality of icons to a user for selection by the user (See Mizoguchi Paragraph 0026 and Figure 4 Element 4); detecting a user's selection of one or more icons from the at least one password documents and, based thereon, determining the user's authority to access the requested documents (See Mizoguchi Paragraphs 0041-0042).

9. Regarding claim 2, Mizoguchi disclosed providing a series of password documents to the user, each password document comprising a plurality of icons and prompting the user to select one of the icons from each of the password documents (See Mizoguchi Paragraph 0041).

10. Regarding claim 3, Mizoguchi disclosed that a correct icon on each password document comprises a link to a next password document such that selecting an appropriate sequence of icons produces a corresponding sequence of documents (See Mizoguchi Paragraph 0041 Lines 9-16).

11. Regarding claim 4, Mizoguchi disclosed determining the user's authority to access a requested document comprises comparing the sequence of selected icons to a previously stored sequence and granting authority if the selected sequence matches the previously stored sequence (See Mizoguchi Paragraph 0042).
12. Regarding claim 5, Mizoguchi disclosed reading user identification information provided with the request and determining authority to access the requested document based on the selected icons and the user identification information (See Mizoguchi Paragraph 0042).
13. Regarding claim 6, Mizoguchi disclosed that the user identification information is provided as a cookie portion of the request (See Mizoguchi Paragraph 0042 Lines 7-16).
14. Claims, 8-13 and 15-20 are rejected for the same reasons as claims 1-6 above, and further because Mizoguchi disclosed the method, system and computer readable media for providing the graphical password system (See Mizoguchi Paragraph 0022 and Claims).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

16. Claims 7, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizoguchi as applied to claims 1, 8, and 15 above, and further in view of Taylor (US Patent Number 6,209,004).

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Mizoguchi disclosed a system for authenticating an access to a secured object through the use of graphical passwords (See Mizoguchi Paragraphs 0031 and 0041-0042), but failed to disclose the system providing read-only access to the object.

Taylor teaches that passwords can be used to provide varying degrees of access to documents, including read-only access, depending on the password (See Taylor Col. 4 Paragraph 2).

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Taylor in the password system of Mizoguchi by providing varying levels of access privileges depending on the provided password. This would have been obvious because the ordinary person would have been motivated to provide enhanced methods and systems for providing more efficient electronic transfer of documents and other electronic files between computers.

### *Conclusion*

17. Claims 1-21 have been rejected.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Smith, Jr. (US Patent Number 6,571,336) disclosed a system for password input using a grid of graphical characters.
- b. Greene et al. (US Patent Number 6,802,000) disclosed various systems for inputting passwords graphically in order to access online documentation.
- c. Juels et al. (US Patent Application Publication 20020029341) disclosed a system for entering graphical passwords.

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d. Federova et al. (US Patent Application Publication 20040172564) disclosed a system for entering graphical passwords.

e. Dreyfus ("Forget your Password? Picture This") disclosed a system for entering graphical passwords.

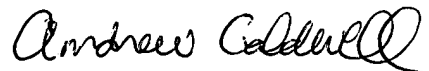
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew T Henning whose telephone number is (571) 272-3790. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Matthew Henning  
Assistant Examiner  
Art Unit 2131  
1/21/2005



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